



PATENT  
259/012  
(24729-7075)

#13

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

LaFONTAINE, Daniel M., et al.

Serial No.: 09/713,749

Filed: November 14, 2000

For: ELECTROPHYSIOLOGY ENERGY  
TREATMENT DEVICES AND  
METHODS OF USE

Group Art Unit: 3739

Examiner: Ahmed M. Farah

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Commissioner for Patents  
Washington, D.C. 20231

Response under 37 C.F.R. § 1.116  
Expedited Procedure  
Examining Group

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. § 1.56, the references listed on the attached form PTO/SB/08A are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. The Examiner is requested to make these documents of record.

**I. Timing of the Information Disclosure Statement:**

This Information Disclosure Statement is filed:

- ☐ With the new patent application submitted herewith (37 C.F.R. § 1.97(a)).
- ☐ Within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. § 1.491.
- ☐ Before the mailing date of a first Office action on the merits. In the event, however, that an Office Action has crossed in the mail with this Information

Disclosure Statement, the Commissioner is hereby authorized to charge

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Deposit Account No. 50-2518 for any fees required pursuant to  
37 C.F.R. §§ 1.17(p) or 1.17(i)(1).

This Information Disclosure Statement is filed:

- ☒ After the first Office Action and more than three months after the application's filing date; or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and the Commissioner is hereby authorized to charge Deposit Account No. 50-2518 for the fee (\$180) set forth in 37 C.F.R. § 1.17(p) and any additional required fees.

This Information Disclosure Statement is filed:

- ☐ After the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and is accompanied by the fee (\$180.00) set forth in 37 C.F.R. § 1.17(i)(1) and a certification as specified in 37 C.F.R. § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the Information Disclosure Statement.

The undersigned certifies that:

- ☐ Each item of information contained in the Information Disclosure Statement was first cited in any communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

**II. Copies of the Cited Items:**

- ☒ Copies of all of the items listed on the attached Form PTO/SB/08A are enclosed.
- ☐ Copies of only the following items listed on the attached PTO/SB/08 are enclosed: \_\_\_\_\_.
- ☐ Copies of the items listed in the attached Forms PTO/SB/08 are not supplied because they were previously cited by or submitted to the Patent Office in a prior Application No. \_\_\_\_\_ filed \_\_\_\_\_ and relied upon in this application for an earlier filing date under 35 U.S.C § 120.  
See 37 C.F.R. § 1.98(d).
- ☐ Copies of those items which are marked with an asterisk (\*\*) in the attached Form PTO/SB/08 were cited in a foreign examination report in a related case. A copy of the search report and the cited references not already of record in this application are attached hereto.

**III. Concise Explanation of Relevance:**

- ☒ A concise explanation of relevance of the items listed on Form PTO/SB/08A is not given.
- ☐ A concise explanation of relevance of [some of] the items listed on PTO/SB/08 is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references (copy attached).

**IV. Related Applications:**

- ☐ Applicants bring to the Office's attention the following related, co-pending application(s):

**V. Conclusion:**

Citation of the above documents shall not be construed as:


1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO/SB/08A with initials or other appropriate marks. The Commissioner is hereby authorized to charge Deposit Account No.: 50-2518, billing reference number: 259/012 (24729-7075) for any additional fees required in connection with the filing of this Supplemental Information Disclosure Statement.

Respectfully submitted,

**BINGHAM MCCUTCHEN LLP**

Dated: March 31, 2003

By:   
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